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SIPDIS

SENSITIVE

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ADDITIONAL TEXT

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This cable is a corrected version of and replaces Dili 090

¶1. (SBU) Summary: In a recent briefing for the Embassy, USAID contractors and grantees working with East Timor's electoral process expressed an array of concerns about the election process, especially over the ineffective role of UN advisors to the National Electoral Commission (CNE) and the State Technical Administration for Elections (STAE), delays in formulating regulations necessary for election education programs to commence, and the lack of contingency plans to ensure transparent voting in the case security problems force a postponement for specific voting sites. The UN's independent Election Certification Team issued its fourth report on February ¶16. The report also reflects concerns about the election, noting only limited progress made towards its previous recommendations. Certification of the presidential elections therefore appears to be at risk. The Certification Team also expressed continued concerns regarding election security. With the additional deterioration of security seen over the last week exacerbating both security concerns and logistical delays, the possibility exists that a delay in the presidential election date could result, although there has been no formal suggestion of this yet. End summary.

¶2. (SBU) Emboffs met with representatives from IFES, the International Republican Institute (IRI), and the National Democratic Institute (NDI) on March 2 to discuss East Timor's upcoming presidential and parliamentary elections. IFES and NDI representatives told us that some of the more serious problems with the elections revolved around what they described as inadequate UN advisors to the National Election Commission (CNE) and Technical Secretariat for Election Administration (STAE). Whereas United Nations Integrated Mission in Timor-Leste (UNMIT) is supposed to have seven advisors with the CNE, in reality only one is present. IFES raised concerns about the quality and experience level of these advisors, bluntly saying that IFES would not have hired them, while NDI recounted comments by some East Timorese to the effect of "since the one [Portuguese] advisor is not doing anything, she might as well go home."

UNMIT failed to respond to IFES requests as early as December 2006 for clarification on what assistance was needed, so in recent weeks IFES has worked directly with the East Timorese electoral institutions to address immediate gaps; IFES will provide two advisors to CNE to help with candidate registration and election complaints, and in late March will add a third advisor at the STAE to help with adjudication issues. (Note: Another issue impacting logistical preparations is that as a result of the current security situation (septels) UN volunteers (UNVs) working in the districts have had their movement limited to the towns in which they are resident and have not been able to move about the districts in recent weeks. The UNVs in Same area were pulled back to Dili and discussion is underway to send them back out again. End note.)

¶13. (SBU) The IFES representative told us that delays in formulating critical regulations were causing delays in the voter education process, a problem exacerbated by the tight timeline for voter registration. This tight timeline also extends to dispute resolution; the regulations allow only 24 to 48 hours for issues to be resolved. IFES has compiled, but has not yet delivered to East Timorese election authorities, a list of the most pressing points, including six suggested amendments to the National Parliament Electoral Law to clarify these outstanding issues such as procedures for vote counting, procedures for sealing ballot boxes, expanding the definition of electoral propaganda to include voice broadcasts (the current laws limit the definition to print media), and the methods to be employed to ensure that voters are unable to vote more than once. IFES also raised voter registration as a serious problem, since there will be little, if any, time allowed for voters to determine whether they have in fact been registered, and no record kept of who has already voted. NDI and IFES representatives said that this could be a major obstacle to resolving challenges to the election. The STAE is apparently selectively addressing some of these concerns.

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¶14. (SBU) When asked about election security, IRI's representative indicated that this was a common concern raised by district or village level interlocutors, as well as by the UN. The IFES and NDI representatives recounted anecdotal reports of parties being forcibly prevented from conducting election rallies or raising their party flags in opponent strongholds, a common problem in previous elections as well. The representatives concurred that these problems were likely to worsen for the parliamentary election. NDI's representative noted that there was a distinct possibility that hunger and drought could negatively impact election security, and that there were no regulations in place to ensure that voters who had previously voted in another district could not vote a second time in an area where security concerns forced a postponement long enough for the indelible ink to wear off.

¶15. (U) The UN Election Certification Team's fourth report, issued on February 16, reflects many of the same concerns. The team determined that since the major corrective steps recommended in the third report have not been taken, the process is still unsatisfactory. Specific mention was given to outstanding changes to the legal framework, which the team deems are required for the election to meet international standards, as well as the need for emergency measures to bolster the STAE and CNE, which the team concludes have not been provided with sufficient time or resources to carry out their respective tasks. The team further found that since the CNE has not been able to establish its own secretariat or field staffing structure, only a few election commissioners and international advisors are essentially trying to handle an extremely high work load. The team additionally raised questions about the registration of internally displaced persons, of which there are an estimated 30,000 remaining in Dili alone.

¶16. (SBU) Comment: The NGO representatives indicated a possibility that the UN Electoral Certification team could refuse to validate the elections. Embassy Dili shares these

concerns, and is working with USAID and the NGOs to coordinate how best to raise these "must have" fixes with the appropriate GOET officials. Emboffs will met with the relevant GOET election authorities and again with the NGOs in coming weeks to determine whether the GOET is making progress on resolving these concerns. End comment.

GRAY